

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **TOOL FOR ADJUSTING AN IMPLANTABLE ADJUSTABLE FLUID FLOW CONTROL VALVE**

The specification of which

a. ☒ is attached hereto

b. \_\_\_\_\_ was filed on \_\_\_\_\_ as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).<sup>1</sup>

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☒ no such applications have been filed.

b. \_\_\_\_\_ such applications have been filed as follows:

### FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

### ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, § 112/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<sup>1</sup>

#### § 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton	Reg. No. 22,157	Michael B. Atlass	Reg. No. 30,606
Reed A. Duthler	Reg. No. 30,626	Michael J. Jaro	Reg. No. 34,472
Daniel W. Latham	Reg. No. 30,401	Dianne Plunkett Latham	Reg. No. 35,649
Curtis D. Kinghorn	Reg. No. 33,926	Thomas F. Woods	Reg. No. 36,726
Peter Forrest	Reg. No. 33,235		

Please direct all correspondence in this case to: Medtronic, Inc.  
7000 Central Avenue N.E.,  
Minneapolis, Minnesota 55432  
Telephone No. (612) 514-3156

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name of Inventor	FIRST NAME William	MIDDLE INITIAL J.	LAST NAME Bertrand
	Residence & Citizenship	CITY Ventura	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 10155 Fallen Leaf Court	CITY Ventura	STATE/ZIP/COUNTRY California 93004 USA
SIGNATURE OF INVENTOR 201 <i>William J. Bertrand</i>				DATE 3/31/99
2 0 2	Full Name of Inventor	FIRST NAME Leanne	MIDDLE INITIAL M.	LAST NAME Lintula
	Residence & Citizenship	CITY Santa Barbara	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 903 Welden Road	CITY Santa Barbara	STATE/ZIP/COUNTRY California 93109 USA
SIGNATURE OF INVENTOR 202 <i>LL</i>				DATE 3/31/99
2 0 3	Full Name of Inventor	FIRST NAME Leonard	MIDDLE INITIAL	LAST NAME Porche
	Residence & Citizenship	CITY Simi Valley	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 4756 Adam Road	CITY Simi Valley	STATE/ZIP/COUNTRY California 93063 USA
SIGNATURE OF INVENTOR 203				DATE

Additional pages for fourth and subsequent inventors attached.

X This Declaration ends with this page.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton	Reg. No. 22,157	Michael B. Atlass	Reg. No. 30,606
Reed A. Duthler	Reg. No. 30,626	Michael J. Jaro	Reg. No. 34,472
Daniel W. Latham	Reg. No. 30,401	Dianne Plunkett Latham	Reg. No. 35,649
Curtis D. Kinghorn	Reg. No. 33,926	Thomas F. Woods	Reg. No. 36,726
Peter Forrest	Reg. No. 33,235		

Please direct all correspondence in this case to: Medtronic, Inc.  
7000 Central Avenue N.E.,  
Minneapolis, Minnesota 55432  
Telephone No. (612) 514-3156

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name of Inventor	FIRST NAME William	MIDDLE INITIAL J.	LAST NAME Bertrand
	Residence & Citizenship	CITY Ventura	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 10155 Fallen Leaf Court	CITY Ventura	STATE/ZIP/COUNTRY California 93004 USA
SIGNATURE OF INVENTOR 201				DATE
2 0 2	Full Name of Inventor	FIRST NAME Leanne	MIDDLE INITIAL M.	LAST NAME Lintula
	Residence & Citizenship	CITY Santa Barbara	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 903 Welden Road	CITY Santa Barbara	STATE/ZIP/COUNTRY California 93109 USA
SIGNATURE OF INVENTOR 202				DATE
2 0 3	Full Name of Inventor	FIRST NAME Leonard	MIDDLE INITIAL	LAST NAME Porche
	Residence & Citizenship	CITY Simi Valley	STATE OR FOREIGN COUNTRY California	CITIZENSHIP US
	Post Office Address	POST OFFICE ADDRESS 4756 Adam Road	CITY Simi Valley	STATE/ZIP/COUNTRY California 93063 USA
SIGNATURE OF INVENTOR 203				DATE 4-1-99

Additional pages for fourth and subsequent inventors attached.

☒ This Declaration ends with this page.